

## **DETAILED ACTION**

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michael Huppert on 3/23/2009.

The application has been amended as follows:

1. Claim 38, line 3 is amended from "a perturbation giving means for giving perturbations by adding predetermined conditions to the sample specimen;" to  
-- a perturbation giving means for giving perturbations by adding predetermined changes to the sample specimen to generate transitional changes in spectral response to activate water existing within and/or around said sample specimen to promote interaction between water molecules and specific component included in said specimen;--

### ***Allowable Subject Matter***

Claims 21-29 are allowed.

The following is an examiner's statement of reasons for allowance:

2. As to claims 21, 34 and 38, the prior art of record, taken alone or in combination, fails to disclose or render obvious a method or device comprising a perturbation giving means for giving perturbations by adding predetermined condition changes to the

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sample to generate transitional changes in spectral response to activate water existing within and/or around said sample specimen to promote interaction between water molecules and specific component included in said sample specimen, in combination with the rest of the limitations of the claim.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JARREAS C. UNDERWOOD whose telephone number is (571) 272-1536. The examiner can normally be reached on Monday-Friday 0530-1400.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory J. Toatley can be reached on (571) 272-2059. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. C. U./  
Examiner, Art Unit 2877

Jarreas Underwood  
Patent Examiner  
Art Unit 2877  
3/31/2009

/L. G. Lauchman/  
Primary Examiner, Art Unit 2877

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